Rehabilitation is: **“PunishEment** **intended to reform a convict so that she can lead a productive life free from crime.”**

Retribution is “a penalty imposed for a crime that is designed to provide some form of compensation to the victim while also penalizing the offender.”[[1]](#footnote-1)

Rehabilitation exists to punish the offender as a means to improve criminals and place them back into society, whereas retribution focuses solely on the culpability of the criminal in relation to the victim. Thus, the difference between the rehabilitation and retribution is that retribution focuses on punishing for a singular instance to redress the culpability of the agent only, whereas rehabilitation punishes to improve the criminal.

Next, the resolution presupposes that crimes committed are immoral and ought to be avoided. Prefer this interp because the negative could infinitely question whether or not the crime that is being punished is moral, whereas the affirmative would be forced to defend every crime as immoral. This disportionality increase negative options as a link to the ballot. Additionally, there are an infinite number of crimes that can be questioned, such as if the theft in times of need is immoral. By limiting the debate to the topic of how to deal with crimes, both debaters are prepared to debate substantive clash on the topic.

I value **Morality.**

Once we recognize something as good, we recognize an obligation to do it. This is a self-imposed moral truth once we recognize the good, and is an internal morality found within the agent. **Aquinas writes[[2]](#footnote-2):**

Now as "being" is the first thing that falls under the apprehension simply, so **"good" is the first thing** that falls under the apprehension of the practical reason, which is directed to action: since **every agent acts for an end under the aspect of good.** Consequently **the first principle of practical reason is one founded on the notion of good,** viz. **that** "good is that which all things seek after." Hence this is the first precept of law, that **"good is to be done and pursued, and evil is to be avoided."**

The good that is a self-imposed obligation is defined by the form of the agent. We can describe particular ends in reference to the reasons why they are important. More specific ends are always chosen for a larger purpose. Thus, good is attributed to the agent. **Geach[[3]](#footnote-3):**

I can now state my first thesis about good and evil : **' good' and 'bad' are** always **attributive,** not predicative, **adjectives.** This is fairly clear about 'bad' because 'bad' is something like an alienans adjective; we cannot safely predicate of a bad A what we predicate of an A, any more than we can predicate of a forged banknote or a putative father what we predicate of a banknote or a father. We actually call forged money' bad' ; and **we cannot infer** e.g. **that because food supports life bad food supports life**. For' good' the point is not so clear at first sight, since ' good' is not alienans-**whatever holds true of an A** as such **holds true of a good A.** But **consider** the contrast in such a pair of phrases as **' red car ' and' good car** '. I could ascertain that **a distant object is a red car because I can see it is red** and a keener-sighted but colour-blind friend can see it is a car; **there is no such possibility of** ascertaining that a thing is **a good car by pooling independent information that it is good and that it is a car.** This sort of example shows that ' good' like ' bad' is essentially an attributive adjective. Even when ' good ' or ' bad ' stands by itself as a predicate, and is thus grammatically redi-cative, some substantive has to be understood; **there is no such thing as being just good or bad,** there is only being a good or bad so-and-so. (If I say that something is a good or bad thing, either 'thing' is a mere proxy for a more descriptive noun to be supplied from the context ; or else I am trying to use ' good ' or 'bad' predicatively, and its being grammatically attributive is a mere disguise. The latter attempt is, on my thesis, illegiti-mate.)

If we could talk about “good” in the abstract we would be able to coherently infer from “x is a good car” that “x is a good” and “x is a car” but it makes no sense to talk about x being “a good”. Since humans are actors that are affected within the resolution, this means that saying what individuals ought to do can only be done with reference to the purpose of their form. When considering moral agents like humans, the development of the good is realized through virtues that frame how to approach specific circumstances, since virtues are defining characteristics that allow for the agent to be consistent with the good in their form.

We must educate in order for individuals virtues to line up with their form as an agent, else we can never experience an ethical life. **Parker:[[4]](#footnote-4)**

The way in which Aristotle argues the intellectual and the moral virtues interact is somewhat complex, but is absolutely fundamental to his theory of ethics. Essentially, Aristotle argues that **the intellectual virtue of practical wisdom is what informs an actor** so as to be able **to apply the moral virtues** appropriately. For example,**in** a given instance of **determining how to live** in accordance **with the moral virtue of courage**, **one must be informed by the relevant practical wisdom**. **In** an instance of **saving someone from a burning building, one must be informed** as to,among other things, **the severity of the fire** and the likelihood of the building's collapse, in order to determine whether entering said building would be foolhardy or courageous. **An actor may have a firm grasp upon the moral virtues, but without the requisite practical wisdom, one cannot know how to apply them appropriately,** or even which moral virtues might be applicable at all.

The standard is **promoting the flourishment of virtue,** defined as allowing for circumstances that promote the development of moral behavior. Virtue ethics only cares about determining general goals to appeal to, rather than implementation. **Ferreira[[5]](#footnote-5):**

Nonetheless, there are cases where Hume’s Law is not by itself an impressive case against the reasons such facts give us. Surely empirical naturalism can restrain itself from giving obnoxious directives? Consider that the logical point of Hume’s Law has no force when a directive is cast in the form of a hypothetical imperative. In the anti-feminist case, what was asked of women is: ‘**if you want to continue** the established familial **structure, women should** take up the role of **rais[e]**ing **children to the exclusion of all else’**. And, of course, **the feminist is going to deny the antecedent**. **There [are]** is, however, a wide range of **hypothetical imperatives** drawn from Aristotelian categoricals **which are unproblematic**: the earlier example of **‘if you want your children to make good progress** when growing up,**promote stable circumstances for them’**, or ‘**for trees to grow tall and strong, they should have** deep and sturdy **roots’**. **Because such questions are** directly **related to the well-being of the subject, it[s] [useless]** makes little sense **to wonder about what type of roots the tree would want**, to use Foot’s famous example. What was wrong with the anti-feminist case was that the link to well-being worked the wrong way: it commanded women to take a course of action which was not good for them. Women have very good reason not to buy into the anti-feminist categorical. But the tree has no good reason to not grow deep and sturdy roots. If a tree could have desires, it should want to grow such roots, for its own good. And we should not rush to find fault with the idea that parents should want to raise their children in stable circumstances.

Prefer this additionally because:

1. Other ethical systems create an impossible standard by which ethical wrongs held as a blemish on responsibility. Virtue ethics is the only way to bridge the ought-ought gap because it recognizes that individuals can make mistakes and then improve on them. **Mayo[[6]](#footnote-6):**

Imitation can be amore or less successful. And this suggests another defect of the **ethics of principles**. It **has no room for ideals, except** the ideal **of a perfect set of principles** (**which**, as a matter of fact, **is intelligible only in terms of an ideal character** or way of life), **and** the ideal of perfect conscientiousness (which is itself a character-trait). **This results,** of course, **from the “black-or-white” nature of** moral verdicts based on **rules. There are no degrees** by which we approach or recede **from the attainment of a certain quality or virtue;** if there were not, the word “ideal” would have no meaning. **Heroes and saints are not people whom we try to be just like, since we know that it’s impossible.** It is precisely because it is impossible for ordinary human beings to achieve the same quality as the saints, and in the same degree, that we do set them apart from the rest of humanity. **It is enough if we try to be a little like them.**

2. Humans have an obligation to fulfill their function, which is their form, separate from normative obligations. **Macintyre writes[[7]](#footnote-7):**

Yet in fact the alleged unrestrictedly general logical principle on which everything is being made to depend is bogus- and the scholastic tag applies only to Aristotelian syllogisms. There are several types of valid argumentsin which some element may appear in a conclusion which is not present in the premises. A.N. Prior’s counter-example to this illustrates its breakdown adequately; **[F]rom the premise ‘He is a sea captain’; the conclusion may be** validly inferred that **‘He ought to do whatever a sea-captain ought to do’. This counter-example** not only shows that there is no general principle of the type alleged; but it itself shows what **is** at least **a grammatical truth—an ‘is’ premise can on occasion entail an ‘ought’ conclusion**. From such factual premises as **‘This watch is** grossly inaccurate and **irregular in time-keeping’** and ‘This watch is too heavy to carry about comfortably’, **the evaluative conclusion validly follows that ‘This is a bad watch’**. From such factual premises as ‘He gets a better yield for this crop per acre than any farmer in the district’, ‘He has the most effective programme of soil renewal yet known’ and ‘His dairy herd wins all the first prizes at the agricultural shows’, the evaluative conclusion validly follows that ‘He is a good farmer’. Both of these arguments are **[This argument is] valid because of the special character** of the concepts **of a watch** and of a farmer. Such concepts are functional concepts; that is to say, **we define** both **‘watch[es]**’ and ‘farmer’**in terms of purpose of function which a watch** or a farmer are **[is] characteristically expected to serve.** It follows that the concept of a watch cannot be defined independently of the concept of a good watch nor the concept of a farmer independently of that of a good farmer; and that the criterion of something’s being a watch and the criterion of something’s being a good watch.

3. Virtue ethics can adapt to moral situation whereas moral rules will always fail to guide action in specific situations. **Mayo 2:**

No doubt **the** fundamental moral **question is** just “**what ought I to do?”** **And according to** the philosophy of moral **principles, the answer (**which must be an imperative “Do this”) **must be derived from a** conjunction of premises consisting (in the simplest case) firstly of a **rule,** or universal imperative, enjoining (or forbidding) all actions of a certain type in situations of a certain type, and , secondly, a statement to the effect that this is a situation of that type, falling under the rule. IN practice the emphasis may be on simply only one of these premises, the other being assumed or taken for granted: one may answer the question “what ought I to do?” either by quoting a rule which I am to adopt, or by showing that my case is legislated for by a rule which I do adopt… [I]f I am in doubt whether to tell the truth about his condition to a dying man, my doubt may be resolved by showing that the case comes under a rule about the avoidance of unnecessary suffering,which I am assumed to accept. **But if the case is without precedent** in my moral career, **my problem may be a soluble only by adopting a new principle** about what I am to do now and the future about cases of this kind.This second possibility offer a connection with moral ideas. **Suppose my perplexity is not merely an unprecedented situation** which I could cope with by adopting a new rule. **Suppose the new rule is** thoroughly **inconsistent with my existing** moral **code.** This may happen, for instance, if the moral code is one to which I only pay lip-service, if… its authority is not yet internalized**,** or if its final rejection awaits a moral crisis such as we are assuming to occur. **What I** now **need is not a rule** for deciding how to act in this situation and other of its kind.I need a whole set of rules. A complete morality, new principle to live by.Now, according to the philosophy of moral character, **there is another way of answering the** fundamental **question “what ought I to do?”** instead of quoting a rule**, we quote** a quality of character, **a virtue: we say “be brave**,” or “be patient” or “Be lenient.” We may even say “be a man”: if I am in doubt, say, whether to take are risk, and someone says “Be a man,” meaning a morally sound man, in this case a man of sufficient courage. (compare the very different ideal invoked in “be a gentleman.” I shall not discuss whether this is a *Moral* ideal.) Here, too, we have the extreme cases, where a man’s moral perplexity extends not merely to a particular situations but to his whole way of living. And now **the question “what ought I to do?” turns into the question “What ought I to be?”—**as, indeed, it was treated in the first place. (“be brave.”) **It is answered, not by quoting a rule** or a set of rules, **but by describing a** quality of character of a **type of person. And here the ethic**sof character **gains a** practical **simplicity** which offsets the greater logical simplicity of the ethics of principles. We do not have to give a list of characteristics or virtues, as we might list a set of principles we can give a unity to our answer. Of course we can in theory give a unity to our principles: this is implied by speaking of a set of principles. But if such a set is to be a system and not merely aggregate, the unity we are looking is a logical one, namely the possibility that some principles are deductible from others, and the ultimately from one. But the attempt to construct a deductive moral system is notoriously difficult, and in any case ill-founded. Why should we expect that all rules of conduct should be ultimately reducible to a few?

I contend that rehabilitation promotes virtue.

A corrective system of rehabilitation promotes the well-being of the offender. **Moore[[8]](#footnote-8):**

If criminal law's function in society is to promote virtue, then punishment is justified only if it facilitates the development of practical reason: the tendency and motivation to do the right act because one values the proper reasons for acting rightly. When a criminal makes an unvirtuous choice, punishment plays an educative role. Punishment does not act, however, as a deterrent-a person should choose the right action out of a desire to do so, not out of fear of sanction. A criminal offense constitutes a failure of practical reason: the perpetrator acted through the wrong means or for the wrong ends. However, virtuous punishment habituates the offender to form a desire to act rightly for the right reasons. Therefore, practical reason should guide the state in deciding what punishment to impose. Imposing retributive punishment would not be virtuous if it inhibits rather than promotes the development of practical reason in the offender. The state should also impose punishment only for the right reasons-the cultivation of virtue and the promotion of human flourishing. The correctness of the punishment depends on the practical wisdom present in the justice system as a whole.

Next, rehabilitative programs promote virtue via pro-social modeling. **Pycroft and Clift[[9]](#footnote-9):**

**Eudaimonism** has been an emerging theme in the literature on desistance from crime as an alternative to the risk-need-responsivity model of the “what works” era. This ‘good like’ model **builds upon the central tenets** of strain theory **that crime can be the result of blocked opportunities to access legitimate goods, thus leading to a distortion in a potential criminal’s** value or **belief system,** which can in turn lead to criminal identities**. Desistance from crime is,** then**, brought about through** identity change and **access to mainstream and stable resources** such as housing, work and intimate relationship. The increasing interest in desistance has led to debate within criminal justice circles as to how to operationalize the process of desistance within probation practice. Some of the **virtues** that have been identified for social work practice **are relevant to working in the criminal justice system and relate** in many ways **to pro-social modeling - for example, truthfulness,** courage, honesty, modesty and justice-in many ways**,** these **will be reflected in** listening, open and **trusting relationships.**

And, rehabilitation always outweighs on risk of offense. Intention by the agent directly correlates to creation of that agent’s virtue, so criminals intending to improve their behavior via rehabilitation always outweighs the side effects of retribution. **Boyle and Lavin[[10]](#footnote-10):**

We can begin to see how this might be made intelligible by noting that **goal-directed progressives characterize a subject** here and now **by relating it,** not necessarily to the actual future, but rather **to its own future – to a possible outcome that would count as something the subject** itself **effected,** **rather** **than something that merely happened to it.** Part of the point here is not special to goal-directed progressives in particular: in general, a progressive proposition of the form (7) S is **doing** A **is not** necessarily **falsified because the** relevant **future state of affairs** (S’s having done A) **does not come** to obtain; **it is falsified only if this was not the state toward which [the subject]** S **was tending**, the state which would have come to obtain had nothing interfered with its activity. In this sense, any progressive proposition of form (7) relates its subject, not to the actual future whatever it may be, but rather to a possible future that would count as the subject’s own. Now, the crucial Aristotelian thought is that the distinction between **a future that counts as the subject’s own** and one that does not **must be drawn against the background of a conception of what the subject is** and of what belongs to being that kind of thing – that is, of the form it bears and the nature of things that bear this form. This claim may initially sound dark and metaphysical, but we can bring it down to earth by restating it as a point about the relation between truths of the form we have been considering and truths of certain other characteristic shapes. The thought, in effect, is that where there are truths of the form (7), there must also be true judgments of form-attribution, of the form (9) S is an F and true form-characterizing judgments, of the form (10) Fs do 􀀁 (in conditions C) where the description of the activity characteristic of the kind, 􀀁, need not in general be identical to the description that characterizes what the individual is doing (A), although in the simplest sort of case it might be. In the more general case, doing A will be some specific form or manifestation of [the form] 􀀁-ing, as rolling down this hill is a specific manifestation of rolling (S is rolling down this).

Underview 1-

**A. States’ economies are vital to the national economy and need change NOW – err aff on an invisible threshold.**

**Moran 13** (Andrew [Political journal editor and reporter] “11 scenarios of how an economic collapse in America could play out” Economic Collapse New, March 16, 2013, MG)

Since the last economic collapse that occurred in 2007/2008, the unemployment rate has remained just under (officially) eight percent, **the Fed**eral Reserve **is pumping $85 billion each month** just to keep the Dow Jones above 14,000, **the** federal **gov**ernment **borrows 48 cents out of every dollar spent** just to keep the doors of Congress open and the value of the nation’s currency persists in being debased. For the past few years, a lot of **adherers** to gloom and doom **have predicted complete collapse of the United States system**. Although **the U.S. is on life support** at the present time, it still remains alive. The question is, however, **[but] for how long?** Despite the disastrous policies imposed by the administration of President Barack Obama and the endless quantitative easing by Fed Chairman Ben Bernanke, how much longer can the U.S. keep the illusion up? There are many scenarios to consider when the U.S. economy reaches its end point: from hyperinflation to astronomical tax rates to confiscation of private property. Here are 11 scenarios of what **an economic collapse could look like** in the United States. 1. If the Fed has the printing press going 24 hours a day and seven days a week or China and Japan demand its money back, this could lead to hyperinflation. What does this mean for Americans? Remember your history class that looked at the Weimar Republic and its citizens carrying wheelbarrows of money? Picture everyone walking around New York City doing the same thing. Indeed, there will be millions of Americans who will become “billionaires.” 2. The U.S. national debt grows $10 million each minute of the day. At the time of this writing, the national debt is more than $16.5 trillion. By 2023, the Congressional Budget Office projects the national debt to be $26 trillion. If the national debt grows at this rate, eventually, the federal government won’t be able to afford anything else other than a few budgetary items. 3. Most Americans and politicians are enjoying the benefits of low interest rates. Despite the heavy debt loads, the U.S. government paid $248 billion in the Fiscal Year 2013, which is roughly 1.5 percent. When interest rates soar, a considerable chunk of annual expenditures will be put towards interest payments. 4. National security is at risk because if the U.S. government can’t afford to allocate money to the Pentagon and the military then it can’t defend the nation’s borders – not just closing down U.S. bases in 132 countries. What if another country decided to invade the U.S. since it can’t protect its land because of insolvency? 5. Price controls have occurred in U.S. history and the unfathomable policy still takes place today (see Argentina and Venezuela). When the government decides to institute production quotas and price controls on everyday items, food, oil and even water riots could come to fruition. 6. No more forms of energy. Back in the day, households would have to go to bed early when night arrived. However, due to capitalist ingenuity, families could stay up late and do anything they wanted. When the economy collapses, there won’t be enough energy for anything, especially considering that Iran and Russia will control half of the world’s energy and China is buying up anything it can get its hands on. 7. **The bankruptcy of states and cities**. **Already, cities have declared insolvency**, **while states are having a difficult time keeping afloat. Investors** **are bailing out of municipal bonds, while state and local debt accounts for** nearly **a quarter of U.S.** gross domestic product (**GDP)**. 8. When the U.S. can no longer afford its budget, it may turn to horrific tax rates. First, it will target the rich, but then the affluent will simply leave the country (as recent reports suggest is already taking place). Once the rich cannot be taxed then everyone else will experience the tax burden – Americans already pay nearly 50 percent of their incomes in taxes (federal, state and local). 9. In any crisis, the first thing that government does is confiscate private property. During the Great Depression, President Franklin Delano Roosevelt took away gold and silver from the people. In the aftermath of Hurricane Katrina, authorities confiscated civilian-held firearms. Last year, the president issued the National Defense Resources Preparedness Executive Order, an order that has been described by some as authoritarian and totalitarian for peace-time martial law that could allow the government to confiscate private property. 10. What happens if social safety nets, such as unemployment, Social Security and Medicaid, suddenly vanished overnight? If the government can only afford interest payments and a few other budgetary expenditures then how could it afford these social programs? No longer would the jobless receive benefits. Little old ladies could become homeless because of no check. The poor would not be able to afford their healthcare. 11. As **with other nations that suffered** a tremendous **economic collapse, the U.S. could see the rise of a new leader** that is just **as dangerous as** Adolf **Hitler**, Joseph Stalin, Hugo Chavez, Robert Mugabe, Mao Tse-Tung and many other brutal dictators. Over the past few decades, **the executive branch has garnered more and more power**, which could mean it would be exploited by nefarious individuals in the future.

And, US economic collapse means multiple scenarios for nuclear conflict – extinction.

**Friedberg and Schoenberg 8[[11]](#footnote-11):**

Then there are the dolorous consequences of a potential collapse of the world's financial architecture. For decades now, Americans have enjoyed the advantages of being at the center of that system. The worldwide use of the dollar, and the stability of our economy, among other things, made it easier for us to run huge budget deficits, as we counted on foreigners to pick up the tab by buying dollar-denominated assets as a safe haven. Will this be possible in the future?¶ Meanwhile, tsraditional foreign-policy challenges are multiplying. **The threat from al Qaeda and Islamic terrorist** affiliates has **not** been **extinguished**. **Iran and North Korea** are continuing **on** their **bellicose paths**, while **Pakistan and Afghanistan are progressing** smartly down the road **to chaos**. **Russia's** new **militancy** **and China's** seemingly relentless **rise** **also give** cause for **concern**.¶ If **America** now tries to **pull back from the world stage**, it **will leave a** dangerous **power vacuum**. The **stabilizing effects** of our presence in Asia, our continuing commitment to Europe, and our position as defender of last resort for Middle East energy sources and supply lines could all be placed at risk.¶ In such a scenario there are shades of the 1930s, when global trade and finance ground nearly to a halt, the peaceful democracies failed to cooperate, and **aggressive powers** led by the remorseless fanatics who **rose up on** the crest of **economic disaster** exploited their divisions. **Today** we run the risk that **rogue states may choose to become** ever more **reckless with** their **nuclear toys**, just **at** **our** moment of **maximum vulnerability.**¶ The aftershocks of the financial crisis will almost certainly rock our principal strategic competitors even harder than they will rock us. The dramatic free fall of the Russian stock market has demonstrated the fragility of a state whose economic performance hinges on high oil prices, now driven down by the global slowdown. China is perhaps even more fragile, its economic growth depending heavily on foreign investment and access to foreign markets. Both will now be constricted, inflicting economic pain and perhaps even sparking unrest in a country where political legitimacy rests on progress in the long march to prosperity.¶ None of this is good news if the authoritarian leaders of these countries seek to divert attention from internal travails with external adventures.

B. Retributive policies have put major strains on state economies. **Andrews and Bonta 10[[12]](#footnote-12):**

**Over the past 35 years**, the trend in dealing with criminal[s] offenders became increasingly harsh and punitive. The message was clear: offenders were not to be mollycoddled. The U.S. Parole Commission and many states abolished their paroling authorities. Instead, parole was replaced with “truth-in-sentencing” legislation (Holt, 1998) and “three strikes and you’re out” laws (Turner, Greenwood, Chen, & Fain, 1999). Boot camps and “Scared Straight” programs sprung up throughout the United States and abroad. There were even calls to make probation as “punishing as prison” (Erwin, 1986, p. 17). The **rehabilitation** of offenders, an important activity for many correctional psychologists, **was devalued in favor of** the “**get tough**” approach for dealing with offenders. The accumulating evidence is that the **retribution** movement **has been a disastrous failure**. Sentencing guidelines and the various truth-in-sentencing laws that require a minimum sentence to be served before release have resulted in longer sentences and more crowded prisons (Wood & Dunaway, 2003). The **three strikes laws** further **compounded** the problem of **prison growth** without any evidence that prison sentences reduce recidivism (Doob & Webster, 2003; Smith, Goggin, & Gendreau, 2002; von Hirsch, Bottoms, Burney, & Wikstro¨m, 1999). The tough new sanctions of boot camps, electronic monitoring, and Scared Straight programs that expose at-risk young offenders to prison life have had either a negligible or detrimental impact on recidivism (MacKenzie & Armstong, 2004; Petrosino, Turpin-Petrosino, & Finckenauer, 2000; Renzema & MayoWilson, 2005). All of **this has caused a tremendous strain on state economies**, with 22 states cutting corrections budgets for ﬁscal year 2010 (Scott-Hayward, 2009). Only Medicaid has out-paced corrections budgets (Stemen, 2007) and, in 2008, it was estimated that **state budgets for corrections were in excess of $52 billion** (Pew, 2009). The incarceration and re-entry of large numbers of adults has a number of less visible costs. Many prisons are far removed from the neighborhoods where offenders reside. For example, **in New York** State, almost all of the prisons are located upstate with 60% of the prisoners coming from the poorest borough of New York City. Many of these neighborhoods have high concentrations of **offenders** who **are sent** to **upstate** prisons **at an annual cost of over $30[k]**,000. It has been estimated that Brooklyn alone has 35 blocks where the costs of imprisonment exceeds **$1 million per block** (Gonnerman, 2004). The neighborhood of Brewer Park, Detroit has an annual cost of $2.9 million (Pew, 2009). Not only is there a signiﬁcant cost in imprisoning people from poor neighborhoods, but additional **ﬁnancial hardships are placed upon the families of offenders and the communities where they reside**. A family may lose a breadwinner and even during incarceration, the family may still continue to support the offender. Offenders released from prisons return to their communities with **poor job prospects, and** their **idle presence on the streets discourage the frequenting of local businesses**. **This** in turn **threatens business success**, thereby **eroding the tax base** for many cities (Clear, 2008).

And, rehab is much cheaper – solves states’ economies. **Causey 12[[13]](#footnote-13):**

Contrary to popular belief, the Wisconsin prison system is not packed with killers. Since 1996, 80% of the growth in the prison population in Wisconsin has been attributed to drug and alcohol use. This figure mirrors national statistics. Here's the problem: **The** state average **cost of** **putting someone** **behind bars for a year is $32,000,** **while the most expensive treatment program costs less than $8,000**. I'm not a financial whiz, but it makes more sense to spend $8,000 on people and turn them into a productive member of society, rather than pay $32,000 to incarcerate them. **Every dollar spent on treatment programs saves** almost $**2 in** criminal justice **costs**, according to the Wisconsin Office of Justice Assistance. Using that yardstick, **an investment of $75 million on the front end in alternatives** to prison programs **would lead to annual savings** of almost $**150 million**. These findings are outlined in a report released Wednesday by Human Impact Partners and WISDOM. "Healthier Lives, Stronger Families, Safer Communities" looks at the impact of drug and alcohol and mental health treatment courts, based on the principle that public health issues are at the root of many crimes. Since 2006, **after** the state Legislature put $**1 million per year into** the **Treatment Alternatives and Diversion programs**, there has been **a decline in the recidivism rates** in the seven piloted locations. **In Milwaukee**, for example, **crime decreased 23% since** 2007, the year TAD **programs went into effect.** Specifically, homicide and rape have decreased between 4% and 5%, and theft and auto theft dropped 17% and 27%, respectively. Most notably, Milwaukee had a 14% decline in inmate population at the county jail and County Correctional Facility-South between 2008 and 2010. John Chisholm, the Milwaukee County district attorney, said cutting crime rates while reducing the number of those incarcerated should be the goal.

Underview 2: Rehabilition has empirically reduced crime. Meta-analysis proves. **Cullen and Gendreau 2000[[14]](#footnote-14):**

Even if interventions are effective with a range of other behaviors, the question still remains whether they are able to reduce delinquent and criminal behavior. Lipsey and Wilson (1993) listed **10 meta-analyses** that were **conducted on** evaluations of **treatment** programs **for offenders.** In all cases, **[reported] a positive effect size** was reported. There was a tendency, however, for the treatment effect size for offender interventions to be lower than that for interventions targeting other outcomes for change. The lower effect size may reflect the difficulty of changing antisocial conduct and/or the lower quality of interventions with offenders (Losel 1995). Still, it is instructive to reiterate that **every meta-analysis** of offender treatment **indicated that programs,** in the aggregate**, reduced problem behavior.** As such, **there is no evidence that offenders cannot be rehabilitated.** Losel (1995) has conducted **the most comprehensive assessment of the meta-analyses** of offender rehabilitation programs. In a review of 13 meta-analyses published between 1985 and 1995, **Losel found that the [a] mean effect** size ranged from a low of 0.05 to a high of 0**. [of] 18 [percent].** This finding has been **confirmed in an updated review** by Redondo, Sanchez-Meca, and Garrido (1999, 252).

Underview 3- Psychological bias means retributivists will disproportionately punish.

**Dripps[[15]](#footnote-15):**

FAE [Fundamental Attribution Error] has troubling implications for the retributivist’s project of rationally assessing blameworthiness. The character-based approach directly embraces the project of inferring personality traits from behavior. This is the very inference that the psychological research suggests human observers will make too readily. Consider, in this regard, the Fidel Castro essays, the quiz master experiment, or the foul shots taken in a dimly lit gymnasium.184 In these experiments, **observers held actors responsible despite** the observers’ **knowledge of** very serious **situational constraints**. Indeed the term **“correspondence bias” refers** precisely to the tendency **to associate behavior with a corresponding trait**. In the choice approach, the problem recurs. FAE predisposes observers to exaggerate both volitional capacity and fair opportunity to resist situational pressure. **A choice theorist** who does not repudiate situational excuse altogether **admits that some** bad **choices are not blameworthy**. As a result of FAE, however, in deciding how hard a choice the actor faced, **observers will tend to attribute the choice to the actor’s character rather than** the **situation**. FAE tends to magnify the causal significance of the defendant’s conduct relative to other factors. **Observers** predisposed to believe that the world is just **need to identify personal**, rather than impersonal, **causes for negative events**.185 Compounding **this tendency is** the so-called **hindsight bias,** which inclines observers ex post to believe that actual events were probable ex ante even when they were not.186 **This,** in turn, **inclines observers to infer intention**, knowledge, or recklessness **from the foreseeability of events that were** in fact **not** foreseeable. Harm-based **retributivists**, with their focus on causing or risking harm, **invite the tendency of observers to commingle fault with causation**, amplified by the hindsight bias. A purely subjectivist culpability theorist, by contrast, considers the actor eligible for punishment based on his subjective awareness of wrongdoing. This may disadvantage the government unduly, as those who focus on the person rather than the situation interpret failed attempts as innocent accidents and harmless recklessness as due care. As the utilitarians have pointed out, retributivists have some difficulty in determining the amount of punishment required by any given instance of culpable wrongdoing.187

1. <http://www.wisegeek.com/what-is-retribution.htm> [↑](#footnote-ref-1)
2. St. Thomas Aquinas -- Summa Theologicae

   Part II, I, Q. 94 The Natural Law [↑](#footnote-ref-2)
3. Peter T. Geach. Good and Evil. Reprinted in Foot, Philippa (ed.) (1967). Theories of Ethics United States: Oxford University Press. pp. 64–73. [↑](#footnote-ref-3)
4. A Critical Analysis of Rosalind Hursthouse‟s Virtue Ethics Approach to the Issue of Abortion Andrew Parker Philosophy 452: Senior Tutorial Professor Peterman 3 May 2010 [↑](#footnote-ref-4)
5. Reasons from Neo-Aristotelian Naturalism. Marinus Ferreira [↑](#footnote-ref-5)
6. Bernard Mayo. The Moral Life. [↑](#footnote-ref-6)
7. Alasdair MacIntyre. Evaluation and Functionality. [↑](#footnote-ref-7)
8. Bradley W. Moore. A Virtuous state would not assign correctional housing based on the ability to pay. Michigan Law review. [↑](#footnote-ref-8)
9. # Risk and Rehabilitation. Aaron Pycroft, Suzie Clift

   [↑](#footnote-ref-9)
10. # Desire, practical reason, and the good. Sergio Tenenbaum. Goodness and Desire. Boyle and Lavin.

    [↑](#footnote-ref-10)
11. (Aaron [Prof of Politics and IR at Princeton], Gabriel [senior editor for commentary at WSJ] “The Dangers of a Diminished America” Wall Street Journal, 2008, MG) [↑](#footnote-ref-11)
12. (DA [Carleton University] and James [Public Safety Canada] “Rehabilitating Criminal Justice Policy and Practice” American Psychological Association, 2010, MG) [↑](#footnote-ref-12)
13. (James E [Editorial writer, columnist & blogger for the Milwaukee Journal Sentinel] “Treatment is the best way to fight crime” Journal Sentinel, Nov 27, 2012, MG) [↑](#footnote-ref-13)
14. [Francis, Paul. “Assessing Correctional Rehabilitation: Policy, Practice, and Prospects.” *Criminal Justice 2000*] [↑](#footnote-ref-14)
15. (Donald [USD Professor of Law] “Fundamental Retribution Error: Criminal Justice and the Social Psychology of Blame” Vanderbilt Law Review) [↑](#footnote-ref-15)